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14 IN THE UNITED STATES DISTRICT COURT
15 FOR THE DISTRICT OF ARIZONA

16 Carol Coghlan Carter, *et al.*,

17 Plaintiffs,

18 v.

19 Kevin Washburn, *et al.*,

20 Defendants.
21
22

No. CV-15-01259-PHX-NVW

**MOTION OF CASEY FAMILY
PROGRAMS, *ET AL.*, FOR
LEAVE TO FILE A BRIEF OF
AMICI CURIAE IN SUPPORT
OF MOTIONS TO DISMISS**

23 Pursuant to Federal Rule of Civil Procedure 7 and Local Rule 7.2, Casey Family
24 Programs, *et al.*, respectfully moves this Court for leave to file the concurrently lodged
25 brief of *amici curiae* in support of the motions to dismiss.

26 Counsel for plaintiffs, the federal defendants, and intervenor Gila River Indian
27 Community consent to the filing of the *amici* brief; counsel for defendant Gregory
28

McKay, in his official capacity as Director of the Arizona Department of Child Safety, has represented that he takes no position on the motion.

MEMORANDUM OF POINTS AND AUTHORITIES

This Court has wide discretion to grant *amici curiae* leave to file a brief, see *Council for Endangered Species Act Reliability v. Jackson*, No. 10-cv-8254-SMM, 2011 WL 5882192, at *6 (D. Ariz. Nov. 23, 2011), and has permitted such participation on numerous occasions, see, e.g., *Harris v. Arizona Indep. Redistricting Comm’n*, No. 12-cv-0894-PHX-ROS-NVW-RRC, 2012 WL 5835336 (D. Ariz. Nov. 16, 2012); *Wilderness Watch v. U.S. Fish & Wildlife Serv.*, No. 07-cv-1185-PHX-MHM, 2008 WL 4183040 (D. Ariz. Sept. 8, 2008); *Southwest Ctr. for Biological Diversity v. Babbitt*, 926 F. Supp. 920 (D. Ariz. Feb. 1996).

Amici are national child welfare organizations with decades of firsthand experience developing and implementing the best practices and policies for child welfare decisionmaking. They are thus uniquely situated to assist the Court in understanding the significance of the issues raised in this case.

CONCLUSION

Amici respectfully request that the Court grant *amici* leave to file the concurrently lodged brief.

Respectfully submitted,
 By: /s/ James E. Tysse
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CERTIFICATE OF SERVICE

I hereby certify that on October 23, 2015, I electronically transmitted the foregoing document to the Clerk's Office using the CM/ECF System for filing and service to counsel of record in this proceeding.

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27 I hereby certify that on October 23, 2015, I arranged for a copy of the foregoing
28 to be hand-delivered on the following day to:

29 Honorable Neil V. Wake
30 United States District Court
31 Sandra Day O'Connor U.S. Courthouse, Suite 524
32 401 West Washington Street, SPC 52
33 Phoenix, AZ 85003-2154

1 Dated this 23rd day of October, 2015

2
3
4 /s/James E. Tysse